



## EXPRESS MAIL CERTIFICATE

Express Mail" mailing label number : EL 984 914 778 US  
Date of Deposit : January 8, 2004  
Type of Documents : Information Disclosure Statement;  
Form 1449;  
Cited References (six); and  
Return Postcard  
Serial No. : 10/656,781  
Filing Date : September 5, 2003

I hereby certify that the documents identified above are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. 1.10 on the date indicated above and are addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Heather Norman (signature)  
Heather Norman



**PATENTS**  
*EL 984 914 778 US*

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re: Betz, et al. : Examiner: To be assigned  
Serial No.: 10/656,781 : Art Unit: 1614  
Filed: September 5, 2003 : Docket No.: B185 1230.1  
For: Methods and Compositions for Treating Herpes Infections

# **INFORMATION DISCLOSURE STATEMENT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Applicants hereby voluntarily disclose the references listed on the attached Form PTO-1449 to the Commissioner for Patents. This Information Disclosure Statement is being submitted prior to the mailing of a first Office Action on the merits of the application. Accordingly, no fees are due.

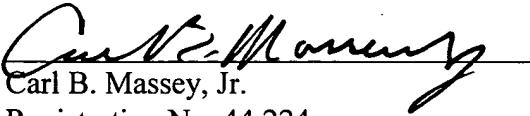
This statement should not be construed as the representation that any search has been made, or that the information cited herewith is material, or that there does not exist information more material to the examination of the present Application. The Examiner is specifically requested not to rely solely on the information submitted herein. On the contrary, the Examiner is requested to conduct an independent and thorough review of all available information, and to form independent opinions as to its significance.

Applicants further reserve the right to establish the patentability of the claimed invention over any of the listed information should they be applied as references, and/or to prove that the cited information may not be prior art, and/or to prove that the cited information may not be enabling for the teachings they purport to offer.

The Examiner is respectfully requested to initial and return copies of the enclosed Form PTO-1449 and to indicate in the official file wrapper of the above-identified patent application that each item of the cited information has been considered.

Respectfully submitted,

Date: Jan 8, 2004

  
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Docket: B185 1230.1 (MSC 8016)

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<b>U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE</b>  <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>					ATTY DKT NO. B185 1230.1	SERIAL NO. 10/656,781	
					APPLICANT Ulrich Betz, <i>et al.</i>	FILING DATE 09/05/03	GROUP 1614
<b>U.S. PATENT DOCUMENTS</b>							
EXAMINER INITIAL		DOCUMENT NO.	DATE	NAME	CL.	SUBCL.	FILING DATE IF APPROP.
	P1	U.S. Pat. No. 6,307,028 B1	10/23/01	Lebing, <i>et al.</i>	530	390.1	
<b>FOREIGN PATENT DOCUMENTS</b>							
		DOCUMENT NO.	DATE	COUNTRY	CL.	SUBCL	TRANSLATION
							YES
							NO
<b>OTHER DOCUMENTS (Incl. Author, Title, Date, Pertinent pages, etc.)</b>							
	D1	Elrich, K.S., <i>et al.</i> , "Prevention and Treatment of Experimental Herpes Simplex Virus Encephalitis with Human Immune Serum Globulin," <i>Antimicrobial Agents and Chemotherapy</i> , 31(7): 1006-1009 (1987).					
	D2	Epstein, S.P., <i>et al.</i> , "Efficacy of Polyclonal Antibodies for Treatment of Ocular Herpes Simplex Infection," <i>Cornea</i> , 20(5): 495-500 (2001).					
	D3	LeBlanc, R.A., <i>et al.</i> , "Treatment of HSV-1 Infection with Immunoglobulin or Acyclovir: Comparison of Their Effects on Viral Spread, Latency, and Reactivation," <i>Virology</i> , 262(1): 230-236 (1999).					
	D4	Raizman, M.B. and C.S. Foster, "Passive transfer of anti-HSV-1 IgG protects against stromal keratitis in mice," <i>Current Eye Research</i> , 7(8): 823-829 (1988).					
	D5	Ritchie, M.H., <i>et al.</i> , "Passive Transfer of Anti-Herpes Simplex Virus Type 2 Monoclonal and Polyclonal Antibodies Protect Against Herpes Simplex Virus Type 1-Induced but Not Herpes Simplex Virus Type 2-Induced Stromal Keratitis," <i>Investigative Ophthalmology &amp; Visual Science</i> , 34(8): 2460-2468 (1993).					
EXAMINER				DATE CONSIDERED			